

PM



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/500,655 | 02/09/2000 | Scott C. Cottrille | 777.327US1 | 2927 |

26389 7590 12/14/2004

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

| |
|----------|
| EXAMINER |
|----------|

NGUYEN, MAIKHANH

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2176

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/500,655

Applicant(s)

COTTRILLE ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-31,67-69,101-103 and 105-119 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-31,67-69,101-103 and 105-119 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE filed 02/20/2004 to the original application filed 02/09/2000.
2. Claims 29-31, 67-69, 101-103 and 105-119 are currently pending in this application. Claims 29, 67 and 101 have been amended. Claims 29, 67, and 101 are independent claims.

Request Continuation for Examination

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/08/2004 has been entered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2176

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 29-31, 67-69, 101-103 and 105-119 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Lakritz (U.S. 6,623,529 – filed 01/1999).

As to independent claim 29:

Lakritz teaches (*col.2, lines 17-27*) the invention substantially as claimed including a computer-implemented method for generating localized versions (*e.g., provide a document localization*) of a localizable Internet document (*e.g., multilingual Internet Web site*) for delivery to a client (*e.g., delivery to Web site visitor*), the method comprising:

- a. extracting a localizable portion of the localizable Internet document (*e.g., Documents that need to be translated are extracted from the language and country database; col.10, lines 40-42 and col.11, lines 52-60*), the localizable portion is localized according to different languages and/or geographical locations (*e.g., automatically determines the language and country of a Web site visitor ... deliver the appropriate localized content contained in one or more country/language database and/or file-based content in a file system to the visitor's browser; col.4, lines 3-19/ create localized content for specific geographic regions or countries; col.6, lines 50-57/ automatically localized for different languages; col.26, lines 33-35 and Fig.12*) so as to form multiple

- localizable versions (*e.g., the creation of foreign language versions; col.8, lines 64-66 and Fig.12, items 1210-1215*); and
- b. translating each localizable version to a plurality of encoded versions (*e.g., encoding of the text to properly interpret for subsequent translation; col.4, lines 29-34/A Translation Resource performs translation or other linguistic functions on a set of input documents and their constituent or dependent components and produces a set of output documents that have transformed linguistically; col.12, lines 29-32 /a single form or CGI- generated document can be constructed so that it will be automatically localized for different languages and locales; col.36, lines 31-35/ A single CG script or form can be localized for multiple languages from a single copy of source code; col.28, lines 15-16*).
- c. Lakritz does teach storing the localized versions of the localizable portion and storing the encoded versions (*e.g., All documents in that language are placed in the corresponding directory; col.17, lines 44-64*), Lakritz does not specifically teach “the directory hierarchy”.
- d. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have applied Lakritz’s teachings to include “the directory hierarchy” because it would have provided the capability for facilitating the localization of documents, data streams, and non-text files for multilingual Internet Web sites, enabling the Web site manager to incrementally update the language content of a Web site or document, thereby enhancing the maintainability and storage of multilingual electronic content.

- e. The fact that Lakritz's teachings "*Content is hierarchically stored as country and language independent elements*" (col.6, lines 44-46); "*each language be assigned a unique directory in the document tree. All documents in that languages are placed in the corresponding directory. The entire document tree then becomes a collection of parallel language directories*" (col.17, lines 44-48); and purpose of assigning each language a unique directory in the document tree and placing all documents in the corresponding directory in Lakritz suggest "hierarchy directory".

As to dependent claim 30:

Lakritz teaches extracting string literal from the localizable document; and storing the string literal as symbols (col. 27, lines 23-28/col.28, lines 61-67 and col.29, lines 28-67).

As to dependent claim 31:

Lakritz teaches the encoded versions represent DBCS, Unicode, and UTF-8 versions of the corresponding localized version (col.4, lines 46-54 / col.58, lines 56-58).

As to dependent claim 105:

Lakritz teaches the localizable Internet document is an electronic mail document (Abstract and col.2, lines 17-27).

As to dependent claim 106:

Lakritz teaches the localizable Internet document is a Web page document (Abstract and col.3, lines 25-38).

As to dependent claim 107:

Lakritz teaches the localizable Internet document is an electronic communication
(*Abstract and col.2, lines 17-27*).

As to dependent claim 108:

Lakritz teaches the electronic communication is electronic mail (*Abstract and col.2, lines 17-27*).

As to dependent claim 109:

Lakritz teaches the localizable Internet document is a portion of a Web page document
(*Abstract and col.2, lines 17-27*).

As to independent claim 67:

It is directed to a computer-readable medium for implementing the method of claim 29,
and is similarly rejected under the same rationale.

As to dependent claims 68-69 and 110-114:

They include the same limitations as in claims 30-31 and 105-109, and are similarly
rejected under the same rationale.

As to independent claim 101:

It is directed to a computer for performing the method of claim 29, and is similarly
rejected under the same rationale.

As to dependent claims 102-103 and 115-119:

They include the same limitations as in claims 30-32 and 105-109, and are similarly
rejected under the same rationale.

Response to Arguments

5. Applicant's arguments filed on 10/08/2004 have been fully considered, but they are not persuasive.

Applicant argues that *nowhere does Lakritz teach isolating the localizable content of a document from its underlying code. Nor does Lakritz teach translating each localizable version of a localizable content into a plurality of encoded versions and storing the encoded versions in a directory hierarchy.* (Remarks, page 7, 4th para.)

In response, Applicant is arguing the disclosure of the invention, not the claimed limitations. The limitation “*isolating the localizable content of a document from its underlying code*” is not claimed. Lakritz does teach translating each localizable version of a localizable content into a plurality of encoded versions (e.g., *encoding of the text to properly interpret for subsequent translation; col.4, lines 29-34/A Translation Resource performs translation or other linguistic functions on a set of input documents and their constituent or dependent components and produces a set of output documents that have transformed linguistically; col.12, lines 29-32 /a single form or CGI- generated document can be constructed so that it will be automatically localized for different languages and locales; col.36, lines 31-35/ A single CG script or form can be localized for multiple languages from a single copy of source code; col.28, lines 15-16*). Also Lakritz suggests a directory hierarchy (note the discussion in the rejection above).

Applicant argues that *nowhere does Lakritz teach "extracting a localizable portion of a localizable Internet document."* (Remarks, page 8, last para.)

In response, Lakritz does teach extracting a localizable portion of a localizable Internet document (*e.g., Documents that need to be translated are extracted from the language and country database; col.10, lines 40-42*).

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

| | | |
|-------------------|--------------------------|-----------------------|
| Kurachi et al. | U.S Patent No. 6,092,035 | issued: Jul. 18, 2000 |
| Nosohara | U.S Patent No. 6,212,537 | issued: Apr. 3, 2001 |
| Papierniak et al. | U.S Patent No. 6,418,439 | issued: Jul. 9, 2002 |
| Burget | U.S Patent No. 6,557,005 | issued: Apr. 29, 2003 |

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (571) 272-4090.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER